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# ARTICLE

## No Single Source, No Simple Solution: Why We Should Broaden Our Perspective of the School-to-Prison-Pipeline and Look to the Court in Redirecting Youth from It.

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### Abstract

Common descriptions of the School-to-Prison Pipeline (STPP), a system of policies that push students out of school and into the criminal justice system, identify harsh and unequally applied school discipline practices as the source of the pipeline. In this framework, the court is viewed as the institution solely responsible for the end of the STPP--prison, rather than as a positive influence for youth at-risk of entering the STPP. This viewpoint also fails to take into account additional contributing factors to a youth's entrance or progression through the STPP. One such contributing factor to the STPP is excessive school absenteeism or truancy. Truancy is a known risk factor for juvenile delinquency and other negative outcomes for youth. By reframing the STPP as a pipeline that is fueled by truancy, stakeholders can better understand that the STPP's sources are not simply limited to schools. Rather, they encompass the research-identified individual, family, and community factors that also lead to truancy. Further, in understanding that the STPP's sources are complex and multidimensional, stakeholders can understand that schools *alone* are not able to disrupt the STPP and that an unexpected partner--the court--is ideal and primed to lead this effort. Acting both within and outside the scope of its traditional role, the court can help redirect youth at-risk of entering or already in the STPP toward success. With support from the John D. and Catherine T. MacArthur Foundation's Models for Change Initiative, and under the leadership of the Center for Children & Youth Justice, a non-profit organization committed to better systems and lives for children, successful partnerships between courts, schools, and communities have been facilitated in Washington to reduce the number of youth in the STPP by focusing strategically on truancy prevention.

### Introduction

The School-to-Prison Pipeline (STPP) describes the cumulative effect of federal, state, and local policies that push students out of school and into the criminal justice system (American Civil Liberties Union [ACLU], n.d.). Research and discourse on the sources of the STPP have traditionally focused on zero tolerance and exclusionary discipline policies, excessive policing in schools, and diversion of school resources toward increased security measures (ACLU). Advocates and academics theorize that the combination of these actions results in higher rates of suspension and expulsion and greater levels of school disengagement among affected youth, the consequences of which are that these affected youth are more likely to drop out of school, engage in delinquent behavior, and find themselves in prison as adults. In this scenario, courts may be perceived as playing a role in funneling youth caught in the pipeline to its end: prison.

While stakeholders, including policy-makers, academics, advocates, and service providers, share a common goal of re-routing youth from the STPP, the singular focus of STPP discourse and research on school practices has, in effect, hindered collaboration and coordination among stakeholders in addressing the issue. Since it is well established that keeping youth in school is a proven way to keep them out of trouble and out of the juvenile justice system (Heilbrunn, 2007), centering STPP perceptions and dialogue on the more critical issue of school disengagement, rather than school discipline, could help bridge partnerships needed to shut the pipeline down for good. This would require stakeholders to reconstruct their understandings of the STPP and the role that the court can and should play in the lives of at-risk youth in it. Further, it would require that attention be paid to multiple indicators of school disengagement--not simply discipline incidences--that, when combined, have the cumulative effect of pushing at-risk youth through the STPP.

A key indicator of school disengagement and factor contributing to the STPP is excessive school absenteeism or truancy. By reframing the STPP as a pipeline that encompasses truancy, stakeholders can better understand that the source of the pipeline is not simply limited to schools. To the contrary, the sources of truancy, and therefore the STPP, include school, individual, family, and community factors (Jones & Lovrich, 2011). Further, in understanding that truancy is part of the STPP and that truancy is a complex and multidimensional issue, stakeholders can more effectively respond. Schools alone will not be able to dismantle the STPP, nor will the court or the justice system. When working together, however, it is possible to help prevent many youth from becoming disengaged from school in the first place, and to intervene and retrieve those youth who have lost their connection before it is far too late.

While effective, this sort of collaborative effort is not uncomplicated. It calls for thoughtful coordination and meaningful communication. It requires partners to understand their legal and social responsibilities and to hold each other accountable. It necessitates that the silos within which youth-serving agencies have traditionally operated be broken down, and that relationships be built on clearly defined objectives and partner roles, data and resource sharing, and mutual and informed decision-making. It demands skill at facilitating collaborative partnerships that provide unified and multidimensional responses early on to youth with complex problems. Given its expertise, stature, and resourcefulness, the court is the ideal and obvious entity for this role. Acting both within and outside the scope of their traditional roles, the court can be a catalyst for youth success rather than a punitive response to a superficial issue. This has been the case in Washington State, where the John D. and Catherine T. MacArthur Foundation's Models for Change Initiative (MfC), led by the Center for Children & Youth Justice (CCYJ)—a non-profit organization committed to advancing better systems and better lives for children—is advancing juvenile justice system reform and helping Washington State realize the importance and benefits of a system of collaboration.

### **The Truancy-to-Prison Pipeline**

The focus of the STPP debate has traditionally hinged on school discipline policies and practices. A common description of the STPP reads, "[s]ecurity measures once primarily associated with the criminal justice system have infiltrated schools, excluding or impeding children from receiving a traditional education and instead 'funnel[ing]' them into a one-way path toward prison" (Sussman, 2012). While research suggests that exclusionary and harsh discipline practices may contribute to increased risks of criminal activity by youth (Fabelo, Thompson, Plotkin, Carmichael, Marchbanks, & Booth, 2011), it is only one of many contributory factors, the multitude or combination of which increases the probability that a youth will enter and remain in the criminal justice system. A frequently overlooked and arguably, equally important risk factor for entering the STPP is a lack of school engagement, which research indicates is a known risk factor for substance abuse, delinquency, and adult criminal behavior (Fazsbelo, et al.).

School engagement is a critical element to success in school and learning (Akey, 2006). Students who begin to disengage from school often do so for two key reasons: (1) academic struggle and failure; and (2) behavioral reactions to the school environment, often manifested by misbehavior or school absenteeism (Balfanz, Herzog & MacIver, 2007). While each of these factors can be said to contribute to disengagement and thus to the STPP, the role that excessive school absenteeism or truancy plays is understated.

Truancy has been identified as an early warning sign that a student is headed for educational failure via suspension, expulsion, dropping out, or delinquent activity (The Colorado Foundation for Families and Children [CFFC], 2002). Students with the highest truancy rates tend to have the lowest academic achievement, often have school discipline histories, and are most at risk of dropping out (CCFC, 2002; Rodriguez & Conchas, 2009; Loeber & Farrington, 2000; Welsh, Jenkins, & Harris, 1999; Rumberger, 2001; U.S. Department of Health and Human Services [USDHHS] 2001). In an MfC-supported study of truant youth in Washington State, chronically truant students were more likely to be suspended or expelled, earned only about half of the credits needed to graduate, and had been retained in a grade level one or more times. A full two-thirds of ninth grade chronic truants in Washington eventually dropped out of high school (George, 2011).

Nationally, high school dropouts are three and one-half times more likely than high school graduates to be arrested, and more than eight times as likely to be incarcerated (Christenson, Lee, Schaefer, Dawson & Messner-Zidell, 2008). Further, nearly 60 percent of America's federal prison inmates and 75 percent of state prison inmates dropped out of school, and 75 percent of youth under age eighteen who have been sentenced to adult prisons have not completed the tenth grade (Coalition for Juvenile Justice, 2001). In the Washington State study, half of all truants ended up with a criminal charge by the time they reached eighteen years of age (George, 2011).

Whereas truancy is linked directly and indirectly to adult criminal behavior, the reverse is also true. Youth who are engaged in and regularly attend school are less likely to become involved in crime. Commitment to school is one of only two protective buffers against specific risk factors for violence (Office of the Surgeon General (US); National Center for Injury Prevention and Control (US); National Institute of Mental Health (US); Center for Mental Health Services (US), 2001). School connectedness—a student's feeling part of and care for at school—is associated with lower levels of substance use, violence, suicide attempts, pregnancy, and emotional distress (McNeely, Nonnemaker & Blum, 2002). It has been suggested that just one additional year of schooling for at-risk youth would reduce the murder and assault rate by close to 30 percent, motor vehicle theft by 20 percent, arson by 13 percent, and burglary and larceny by about six percent (Tyler & Lofstrom, 2009). Similarly, the economic and social benefits of additional high school completion are well documented (McNeely, Nonnemaker & Blum, 2002).

## Sources of Truancy, Sources of the Pipeline

The first step in solving a problem like the STPP is to understand the origins of that problem. As noted, the STPP discussion has focused solely on school-based discipline practices and policies as the source of the problem, overlooking other key contributing factors. In reality, the source of the STPP is not limited to school practices; it is broad and encompasses multiple factors. Truancy, a known risk factor for delinquency (George, 2011), is among them, and the STPP is therefore derived from the contributors to truancy.

These contributors are, according to research, multi-dimensional in nature. “Truancy exists within a context of inter-action effects, including interactions between the traits of the [school, student, family, and community]...with each relationship being influenced by the others” (Jones & Lovrich, 2011, p. 10). No single factor results in a student’s truancy; rather, it is the combination of factors and their interactions with one another that feeds the issue. These contributory factors are grouped into four domains: school, student, family, and community.

### *School-Specific Factors*

The traditional discussions related to the STPP are not meritless. School practices, while not the *only* source of truancy and the STPP, are an important factor. A 2006 survey of our nation’s youth revealed that many students experience significant school barriers to achieving their education, and that these barriers are especially pronounced for youth of color (Jones & Lovrich, 2011). Research has found that school climate is a critical factor for school success. “A positive school climate is imperative for the [continuing] education for students. School safety conditions that feature violence, threats of violence, gangs, and serious crime problems reduce the likelihood that students will attend and finish school” (Jones & Lovrich, 2011, p. 29). According to a 2004 survey of youth in Washington State, nearly fifteen percent of eighth-, tenth-, and twelfth-graders reported being absent from school in the past thirty days because they felt unsafe at school or on the way to or from school, and nearly twenty percent reported carrying a weapon such as a gun, knife, or club onto school property for self-protection (Washington Office of Superintendent of Public Instruction [OSPI], 2002). Stakeholders must recognize that these conditions and climate—not simply school-discipline policies and practices—contribute substantially to school disengagement and associated criminal behavior (George, 2011).

### *Student-Specific Factors*

Even as schools play a role, truancy often begins with the student. According to national data, student-specific predictors of truancy are numerous and include: poor academic performance, negative attitude toward school, deviant peer relationships, low self-esteem, and behavioral health issues (Jones & Lovrich, 2011). For students of color, substance abuse, pregnancy, and special needs pose particular barriers to education (Jones & Lovrich, 2011). Washington-specific research aligns with the national data. An MfC-supported study by the Administrative Office of the Courts examined data on a select group of youth who underwent the Washington Assessment of the Risks and Needs of Students (WARNS). According to the WARNS, the social and emotional needs scales of truants “were significantly higher than their non-truant high school peers with respect to Depression-Anxiety, Aggression-Defiance, and substance abuse” (George, 2011, p. 23). These students had low educational expectations and aspirations, performed poorly in academics, and were significantly disengaged from school (George, 2011). As is clear, the underlying causes of truancy are often serious conditions that require attention and treatment beyond school-based responses or reforms.

### *Family-Specific Factors*

Adding another layer of complexity to the issue are family dynamics. The effects of one’s family life do not stay within the confines of home. Lack of support or value for education by parents, poor school performance by siblings, a negative family environment, and abuse or neglect are strongly correlated with truancy (Jones & Lovrich, 2011). Compared to their non-truant counterparts, truant youth are more likely to have experienced adverse childhood experiences and trauma at home (George, 2011). Among Washington’s youth, data from the WARNS indicates that the reported rate of child maltreatment was “ten times higher [for truants] than recent figures for the general population” (George, 2011, p. 23). Family-specific correlates of truancy, identified by research, provide an even deeper look into the situations many truant youth face. Poverty, parents’ holding multiple jobs, too many domestic responsibilities for children, high transportation costs, and high mobility rates often accompanied the trauma that the WARNS uncovered (Jones & Lovrich, 2011). In that regard, families, like schools and students, themselves, can and often do present a barrier to educational attainment.

### *Community-Specific Factors*

Like school, student, and family characteristics, a youth’s community can also play a significant role in educational success. A “negative community environment, vis-à-vis absence of social support and presence of criminogenic factors” (George,

2011, p. 25), is correlated with chronic absenteeism from school. When such social supports as responsive service agencies, schools within one's neighborhood, and stable communities that are not impacted by upheaval and social change are absent, truancy increases (Jones & Lovrich, 2011). When coupled with additional factors like inadequate transportation available to access outside supports and limited police attention and response to crime in the community, the results are diminished opportunities for youth to mitigate the impact of high incidences of criminal activity in their communities (Jones & Lovrich, 2011).

The presence of gangs in a community impacts school attendance. Reports suggest that gang activity is on the rise in Washington's schools and communities, and has had a strong bearing on the success of many youth in school (Jones & Lovrich, 2011; Donlin, 2011). Children who grow up in communities with gangs are often exposed to drug use, violence, and other negative influences early on (Gonzalez, 2006). These influences place youth at substantial risk of gang-involvement, which, for many, creates a barrier to school attendance and engagement (Gonzalez, 2006). Even if they do not become involved in gangs, these students may not attend school regularly if gang activity is present on or en route to campus (Gonzalez, 2006). As a result, there are potentially healthy students from supportive families whose communities pose a barrier to education.

### **Redirecting At-Risk Youth from the Pipeline: How the Court is Part of the Solution**

With a better understanding of school, individual, family, and community factors that put a youth at-risk of school disengagement and advancement through the STPP, clear strategies for re-directing these youth from the pipeline emerge. Research has determined that youth at risk of school disengagement are much more likely to be successful and avoid a path that may lead to prison if they receive multi-modal intervention, at the earliest warning sign (Jones & Lovrich, 2011). Multi-modal programs

employ collaborative efforts among truant students, teachers, school administrators, parents, community members, as well as governmental, non-governmental, law enforcement, and legal advocate agencies most likely to come into contact with truant students; provide specialized services that address the root causes of truancy; and identify the needs of students (Jones & Lovrich, 2011, p. 13).

Addressing a single factor or relying on a single agency to resolve the problem will not enable the vast majority of at-risk youth to succeed. Policies and procedures intended to help these youth must account for the multiple student, school, family and community factors that contribute to their school disengagement and corresponding progress through the STPP.

With knowledge of *how* to address the underlying factors that funnel youth through the STPP, the question becomes *who* is best positioned to lead the efforts in re-routing these students. The answer is the court. The court is the locus in which multiple systems converge and often serves as a consistent point of interaction with at-risk youth, families, communities, and schools, even *before* a youth enters the STPP. The court has the authority to spur action and the expertise in accounting for and weighing all relevant factors in the best interests of children and families. The court has credibility stemming from the charge of the judiciary to perform impartially, competently, and diligently. This combination of unique and vital characteristics is what elevates the court to the role of leader in the efforts to dismantle the STPP.

At least in Washington, the viewpoint that the court plays a role in funneling youth toward prison is inaccurate. Many courts in the state have taken advantage of this opportunity to lead, and have cultivated partnerships with stakeholders to assist youth who are truant and at risk of becoming disengaged from school. In doing so, these courts have actually worked to *minimize* formal court processing of youth. They have been at the forefront of the efforts to reduce chronic truancy and subsequent school dropout before Washington's students reach the courtroom, and have exercised their authority and leadership to convene key partners, engage families, share expertise, provide resources, and ensure accountability among all system actors.

### **Convening Key Partners**

When youth have access to resources and supportive adults, they are less likely to experience school failure and engage in juvenile delinquency (Myrick, Hercik, & Patterson, n.d.). Truant youth require resources and attention from multiple partners to overcome the array of barriers to school engagement they often face. For that reason, a comprehensive intervention program, which includes early assessment, prevention, intervention and re-engagement components, would best ensure that youth advancing through the STPP at different rates are targeted and served. Developing such a program, however, requires linking complex networks of agencies and service providers.

The challenge to this task is that youth-serving agencies often do not recognize the potential impact that they could have

when working as a cohesive unit. All have specific jobs to do and carry out within their individual chains of command. Accordingly, they are driven by agency policies and protocols, and are tasked with ensuring their respective charges are met. Schools, for instance, are charged with educating children, and service providers, with providing support and resources to families in need. Under these circumstances, it is natural for distinct agencies to operate in silos and to remain wholly unaware of the functions of other, outside agencies.

In contrast to other agencies, the court is situated to observe how agencies operate and interact. Although it too has specific charges, the court simultaneously has a wider perspective given its broad charge to the community at large. On a daily basis, judges and other court personnel have the benefit and requirement of looking at the big picture of situations and contexts in which youth are involved. The court monitors progress and engages in problem-solving through the lens of both case and system levels, assessing how various pieces fit together and evaluating the interests of parties. In working with multiple systems, the court has “a unique perspective regarding court operations, the administration of justice, the work of system partners, and the impact that these and other matters may have on individuals and the broader community” (Stroker, 2006).

Yet, knowing which stakeholder sought to assemble is only part of the reason why the court would have success in cultivating partnerships to prevent advancement by at-risk youth in the STPP. The court also has the ability to attract partners. When judicial officers, for instance, decide to proactively engage individuals and agencies, this decision has a powerful impact. “The fact that a judge wants to be involved in a discussion raises the importance of that issue in the eyes of others... [w]hen judges lead and participate in the work of collaborative teams, it can have a magnetic effect on others – it inexorably pulls necessary parties into the discussion” (Stroker, 2006, p. 3).

With support from judicial officers, courts in Washington State have experienced success in bringing diverse partners to the table to serve at-risk youth. In Benton and Franklin Counties, for example, judicial officers, court administrators, and court staff have led efforts to improve the truancy system in their counties as part of the Models for Change Initiative. They began by bringing in two local universities to conduct surveys and research, analyzing the risk and needs of youth in the community. From there, the court hosted a series of educational summits, inviting school principals, counselors, and intervention specialists to the table. They shared findings and developed a mutually agreeable resolution on how to best interact with truant and disengaged youth.

That initial interaction led to the formation of additional partnerships with the court and local media to launch a campaign on the importance of school completion, known as *Destination Graduation*. This campaign spurred partnerships among the court, local community and vocational colleges, public school districts, the regional education service district, and community service providers. It was under the court’s leadership and through these partnerships that Benton-Franklin Counties’ vision for a model system of intervention came to fruition. At present, at-risk youth in the Counties have increased alternative education options; access to the information and resources of multiple partnering agencies engaged in prevention and early intervention activities; opportunities to reengage in school, even after dropping out; and discourse between the court and communities of color about cultural issues.

### ***Engaging Families***

While the court’s ability to bring together agencies and other community partners is an essential part of an effective truancy reduction program, so too is their ability to engage families. As noted, family specific factors can and do constitute barriers to the education of youth. Over thirty years of research confirms that family involvement is a powerful influence on a child’s success in school (Center for Collaborative Education, 2001). Thus, engaging the families of truant youth in addressing their barriers to school attendance and engagement is critical (Jones & Lovrich, 2011).

One Washington study found that initiating parent conferencing prior to the truancy petition process—a statutory requirement in Washington State—is a key step in school engagement (Bouffard, Lovrich & Strand, 2009). While critical, this step may be virtually impossible to reach where interactions between the school and family are adverse or hostile, where families are highly mobile or inaccessible, or where parents or family circumstances directly contribute to their child’s excessive absences. Even if a conference is held, where the underlying issues causing the truancy are beyond the scope of interventions available through the education system, schools are not in a position to compel a family to follow through in obtaining necessary services beyond school.

Through authentic collaboration with the court, however, families can be persuaded to work with schools in addressing the needs of their children both inside and outside of school. An example of this can be seen in Clark County, Washington. With support from MfC, the local Juvenile Court, Educational Service District (ESD), and County school districts have partnered to implement a comprehensive, multi-tiered truancy reduction program, known as the Clark County Truancy Project (CCTP). Intervention through the CCTP is triggered when a school district files a truancy petition with the Juvenile Court, which is

preceded by a student's reaching a certain number of unexcused absences and the child's school taking steps to reduce the absences to no avail. Rather than scheduling a truancy hearing to address the issue through the formal court process, as is typical practice among truancy courts, the Clark County Juvenile Court enters a stay of the proceedings for up to twelve months. This provides its partners an extended opportunity to work with the youth and parent while maintaining its presence to help entice cooperation from the family throughout the intervention process.

Working together, the Court, school districts, and ESD provide anywhere from one to four levels of intervention to truant youth and families during the course of the stay, which may be lifted at any time due to a lack of cooperation by families or progress in resuming regular attendance at school. The first level of intervention--a workshop--is held each week at the juvenile court. Court commissioners begin by welcoming families and expressing the hope that the information provided will enable the youth and families to succeed. Subsequently, school district staff present information on the laws and policies surrounding truancy and then meet one-on-one with each family. Of the nearly 800 Clark County students who attend a workshop annually, 50 to 60 percent successfully return to school without the need for further intervention.

The schools refer those students who acquire a specified number of unexcused absences after the workshop to Truancy Project Specialists. These specialists work to identify the needs of the students and match resources and, through an information-sharing agreement, have access to and monitor their assigned students' attendance, grades and other records. Specialists meet regularly with the students at school or home.

If students do not successfully re-engage with their education after this secondary level of intervention, students and families are referred to a Community Truancy Board (CTB). The CTB provides an additional opportunity for identifying and securing resources. It is comprised of a specialist, school staff, and community members.

For the few students who continue to miss school after CTB intervention, the stay may be lifted and the student referred to court for formal processing. Even so, their involvement in court is not formal in the traditional sense. Clark County Juvenile Court enters an *intervention order* at this stage, and a mentor is assigned to the youth. Mentors work closely with juvenile court staff members and help families to identify and resolve challenges that they face. Mentors also work collaboratively with outside agencies, ensuring that a youth's case is never simply handed off to the next agency.

In reality, not all jurisdictions will have the capacity to implement a comprehensive model of intervention, before formal court involvement, like that in Clark County. Nonetheless, Clark County's partnership model can be replicated, adapted to the resources available in a community, and tailored to ensure that youth are assisted in remaining on-track toward high school completion, minimizing their risks of school disengagement and progression through the STPP (Martin & Escamilla, 2011).

### ***Providing Expertise***

In addition to bringing key partners and families to the table, the court is skilled at analyzing and interpreting information, and in educating the community. The court is required to employ its decision-making authority objectively and neutrally. It is experienced in helping resolve issues. The court is, therefore, well-equipped and ideally situated to exercise its expertise in addressing the multi-dimensional factors that contribute to the STPP. In the truancy context, courts in Washington State are acutely aware that academic performance and school engagement often diminish quickly once a child has multiple absences, while the likelihood of high risk behavior and formal court involvement increases (George, 2011). They understand that research shows that intervention, *before* formal court involvement, is critical for addressing the problems that contribute to truancy and reducing the associated risk factors for negative school and life outcomes (National Center for School Engagement [NCSE], n.d.). They also understand that best practices for addressing school disengagement issues include early identification of needs, particularly those stemming from adverse experiences, referral to appropriate community-based interventions, and case management administered by trained and caring professionals (NCSE, n.d.).

Equipped with this knowledge, Washington courts have led initiatives to educate and raise awareness among schools and youth-serving agencies about the intent and goals of the State's truancy laws, the complex needs of truant and at-risk youth, and effective models of intervention. As part of its MfC efforts, Spokane County Juvenile Court has developed valuable resources to educate and support youth-serving agencies in working with truant youth, including a truancy process manual and a truancy reduction program toolkit.

In collaboration with the Spokane County Prosecuting Attorney's Office, the County's Juvenile Court staff produced the *Spokane County Truancy Manual for Use by Schools*. The manual contains a map and narrative of Spokane County's truancy process, the process for filing paperwork with the court in truancy cases, references to key provisions of Washington's truancy laws, and information on effective truancy prevention and intervention programs. In his introduction

Spokane County Juvenile Court has been fortunate to have developed over the years a close relationship with the schools in Spokane County. Through a collaboration of efforts, we have developed a Truancy Program that addresses the needs of the children and their families... This truancy manual is another step in our continuing effort to improve our efforts to assist administrators, teachers, parents, and in the end, students regarding the law, the truancy program, and the truancy process (Martin & Escamilla, 2011).

The manual, which has been distributed to all schools in Spokane County, is used to train schools on the County's truancy process and educate partners on effective truancy reduction practices.

Another training tool developed by Spokane County Juvenile Court is *A Toolkit for Community Truancy Board Replication* (n.d.), which highlights the County's promising intervention model, the West Valley School District Community Truancy Board (WVSD-CTB). Accompanied by trainings offered by Juvenile Court staff on key components of the WVSD-CTB, the toolkit has been disseminated both locally and nationally to facilitate replication of the WVSD-CTB in other sites.

In addition to drawing on expertise to educate and raise awareness among community partners, courts like Spokane's also employ their knowledge to make critical decisions about serving truant youth. Whether a youth is at low, moderate, or high risk of disengaging from school and advancing through the STPP, matching needs to resources is a crucial part of an effective intervention. To help identify need and accordingly make decisions, courts in Washington rely heavily on data and shared information.

Clark County Juvenile Court, for example, directly gathers data from youth to inform its decisions and match needs to resources. Under MfC, Court staff initiated use of the Massachusetts Youth Screening Instrument-2 (MAYSI-2)--"a standardized, reliable, 52-item, true-false method of screening youth of ages of 12-17 entering the juvenile justice system to identify potential mental health problems in need of immediate attention"--with the County's truant population (Assessments.com, n.d). In Clark County, the MAYSI-2 is a "triage tool for [making] decisions about the possible need for immediate intervention...when little other information about a youth is available" (Martin & Escamilla, 2011). Currently, use of the MAYSI-2 is limited to programs outside of juvenile justice in Louisiana, Colorado, and Wyoming, so Clark County Juvenile Court's use of the tool is unique (Assessments.com, n.d).

In addition to providing case-specific information to help the Court make decisions about truant youth, the MAYSI-2 also provides critical insight to help inform Juvenile Court truancy policies. Analysis of the MAYSI-2 results has helped provide valuable information to Juvenile Court staff. Nearly three-quarters of the Clark County sample analyzed scored in the *caution* range, and more than one-third scored in the *warning* range of at least one MAYSI-2 scale (alcohol/drug use, angry-irritable, depressed-anxious, somatic complaints, suicide ideation, thought disturbance, or traumatic experiences), results which mirrored those of juvenile offenders in detention (Martin & Escamilla, 2011). Somatic complaints were also reported more often for truant youth than in detention settings (Martin & Escamilla, 2011). These findings resulted in the enhancement of current intervention practices for truant youth made available through the CCTP under MfC.

### ***Sharing Resources***

The statutory truancy petition process is important for triggering proactive involvement by schools and courts to keep youth engaged in their education. Courts and schools must have sufficient funding to carry out their legal responsibilities. Unfortunately, a 2009 study by the Washington State Institute for Public Policy found that the actual costs to schools and courts for truancy cases far exceeded the amount of the State's allocation, and that the State appropriation is less than half of the actual costs (Miller, Klima, & Nunlist, 2009).

State funding is also not directly provided for prevention and intervention services prior to a court hearing, even as state law mandates that schools "take steps to eliminate or reduce the child's [truancy] as early as the 2<sup>nd</sup> unexcused absence and prior to petitioning the juvenile courts" (Revised Code of Washington, RCW 26A.225.020(1)(c), 2009). Instead, the state appropriation is directed towards formal court processing of truancy cases (e.g., petition filings, court hearings, prosecution, defense, and incarceration), requiring schools and courts to locate other dollars to provide services and programs that help identify and serve students at risk of school disengagement (Klima, Miller & Nunlist, 2009).

Using the court system as the primary mechanism for addressing truancy is costly, ineffective, and runs counter to the intent of Washington's truancy laws, which specify utilization of court process as a last resort in truancy cases (Heibrunn & Seeley, 2003). Nonetheless, this has been the practice in some jurisdictions in the state, contributing to the heavy caseloads of truancy courts and driving case-processing and court-intervention costs upward.



In order to offset the deficit and invest directly in effective and economical practices, MfC has helped motivate some Washington courts to share resources with partner agencies to facilitate the use of proven models of interventions *before* a court hearing becomes necessary. An example of this is ongoing in King County, Washington, where by agreement; the Juvenile Court has reallocated a portion of its state truancy funds to a county-wide truancy workshop program, operated by the King County Prosecuting Attorney's Office. With the assistance of trained facilitators employed by the Prosecuting Attorney's Office, the workshop program links truant youth and their families to school staff and service providers with the aim of identifying and addressing the root causes of the child's truancy before his/her excessive absenteeism necessitates a court hearing. Like King County, Clark and Benton-Franklin Counties also have formal agreements with local school districts and the ESD to share funds and resources in order to address truancy outside of court.

These early intervention systems have proved to be less expensive than the court process, and are helping to save students, who might later drop out, be unemployed, or involved in the courts under more severe circumstances. Moreover, these interventions have resulted in a reduction in truancy caseloads in these counties, thereby allowing juvenile courts more time to provide individualized attention to truancy cases, including coordinated services and rehabilitative supports for youth with complex needs who are more resistant to upstream interventions.

### ***Ensuring Accountability***

In addition to reaping the benefits of resource-sharing, programs, and at-risk youth served by them, experience greater success when stakeholders are held accountable. Youth, schools, families, and communities can either play a role in facilitating disengagement by youth from school or in supporting their educational successes. Accountable systems ensure that all parties aim to ensure the latter. Accountability in Washington's truancy process is ensured through a statutorily mandated petition process, intended to trigger a more intense response when other efforts to address the underlying causes of a student's truancy have failed. The petition-filing process requires schools to take steps to reduce a student's absences, and courts to facilitate efforts by schools to reengage students in school (McQueen, 2004). The goal is to prevent the development of more serious legal and social issues that often accompany chronic absenteeism and advancement through the STPP (George, 2011). As a result of the mandatory petition process, truancy filings by Washington's schools grew from fewer than 100 per year (prior to adoption of the law in 1995) to an average 15,000 petitions annually in the state (George, 2011). This exponential growth signifies a dramatic increase in the early identification of youth in need of services to help mitigate increased risks of school dropout and delinquency.

Recognizing the important function of the truancy petition process and informed by best practice research, courts in Benton-Franklin, Clark, King, and Spokane Counties have continued to require that petitions be filed in accordance with State law, but have authorized a stay process in truancy cases. Through this process, a school files a truancy petition in court when a student reaches the statutory threshold, but a court hearing on the case is postponed for a period of time-, designated by the court, to allow the school or other partner agency to provide more targeted and intensive intervention through collaborative programs, such as a community truancy board or workshop, aimed at re-engaging the students in school. This process not only holds school districts, youth, and their families accountable for resolution of issues contributing to absenteeism, but it also helps facilitate the identification of youth with more significant needs that necessitate formal court processing.

### **Conclusion: Reframing Our View of the Pipeline and Accepting a Non-Traditional Role for Courts**

Traditional discourse about the STPP is narrow and overlooks key factors that contribute to a youth's entry and progression through the STPP. A known risk factor for involvement in the STPP is a lack of school engagement, which is manifested early and most clearly by a student's lack of school attendance. This truant behavior is the result of student, family, community, and school-related factors -- not simply of the latter. By understanding these sources of truancy, stakeholders can better understand the reasons why a young person may enter the STPP. Accordingly, they can better understand how to prevent youth from entering or progressing through the STPP. While the court may be perceived as playing a role in funneling youth toward prison, in reality, its ability to convene key partners, engage families, share expertise, provide resources, and ensure accountability among all system actors uniquely positions the court to take the lead in efforts to redirect at-risk youth from the pipeline.

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